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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/142,305	09/10/1999	KEIYA OZAWA	50026/012001	2019

21559 7590 03/23/2005

CLARK & ELBING LLP
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BOSTON, MA 02110

EXAMINER	
SISSON, BRADLEY L	
ART UNIT	**PAPER NUMBER**
1634	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/142,305	OZAWA ET AL.	
	Examiner	Art Unit	
	Bradley L. Sisson	1634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 18-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 18-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 September 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 14 February 2005 has been entered.

Specification

2. The specification contains numerous bibliographic citations, yet it has not been found to contain any statement that the cited documents have been incorporated by reference. As set forth in *Advanced Display Systems Inc. v. Kent State University* (Fed. Cir. 2000) 54 USPQ2d at 1679:

> Incorporation by reference provides a method for integrating material from various documents into a host document--a patent or printed publication in an anticipation determination--by citing such material in a manner that makes it clear that the material is effectively part of the host document as if it were explicitly contained therein. *See General Elec. Co. v. Brenner*, 407 F.2d 1258, 1261-62, 159 USQP 335, 337 (D.C. Cir. 1968); *In re Lund*, 376 F.2d 982, 989, 153 USPQ 625, 631 (CCPA 1967). **To incorporate material by reference, the host document must identify with detailed particularity what specific material it incorporates and clearly indicate where that material is found in the various documents.** *See In re Seversky*, 474 F.2d 671, 674, 177 USPQ 144, 146 (CCPA 1973) (providing that incorporation by reference requires a statement "clearly identifying the subject matter which is incorporated and where it is to be found"); *In re Saunders*, 444 F.2d 599, 602-02, 170 USPQ 213, 216-17 (CPA 1971) (reasoning that a rejection or anticipation is appropriate only if one reference "expressly incorporates a particular part" of another reference); *National Latex Prods. Co. v. Sun Rubber Co.*, 274 F.2d 224, 230, 123 USPQ 279, 283 (6th Cir. 1959) (requiring a specific reference to material in an earlier application in order to have that material considered a

> part of a later application); *cf. Lund*, 376 F.2d at 989, 13 USPQ at 631 (holding that **a one sentence reference to an abandoned application is not sufficient to incorporate from the abandoned application into a new application**). (Emphasis added.)

Attention is also directed to MPEP 608.01(p)I, which, in pertinent part, is reproduced below:

> Mere reference to another application, patent, or publication is not an incorporation of anything therein into the application containing such reference for the purpose of the disclosure required by 35 U.S.C. 112, first paragraph. In re de Seversky, 474 F.2d 671, 177 USPQ 144 (CCPA 1973). In addition to other requirements for an application, the referencing application should include an identification of the referenced patent, application, or publication. Particular attention should be directed to specific portions of the referenced document where the subject matter being incorporated may be found. (Emphasis added)

Accordingly, the cited documents are not considered to have been incorporated by reference and as such, have not been considered with any effect towards their fulfilling, either in part or in whole, the enablement, written description, or best mode requirements of 35 USC 112, first paragraph.

3. The disclosure is objected to because of the following informalities: The last two pages of the specification comprise a listing of references wherein said pages are numbered 1 and 2. The pages should be renumbered as 16 and 17.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-4 and 18-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which

was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Attention is directed to the decision in *University of Rochester v. G.D. Searle & Co.* 68 USPQ2D 1424 (Fed. Cir. 2004) at 1428:

> To satisfy the written-description requirement, the specification must describe every element of the claimed invention in sufficient detail so that one of ordinary skill in the art would recognize that the inventor possessed the claimed invention at the time of filing. Vas-Cath, 935 F.3d at 1563; see also Lockwood v. American Airlines, Inc., 107 F.3d 1565, 1572 [41 USPQ2d 1961] (Fed. Cir. 1997) (patent specification must describe an invention and do so in sufficient detail that one skilled in the art can clearly conclude that "the inventor invented the claimed invention"); In re Gosteli, 872 F.2d 1008, 1012 [10 USPQ2d 1614] (Fed. Cir. 1989) ("the description must clearly allow persons of ordinary skill in the art to recognize that [the inventor] invented what is claimed"). Thus, an applicant complies with the written-description requirement "by describing the invention, with all its claimed limitations, not that which makes it obvious," and by using "such descriptive means as words, structures, figures, diagrams, formulas, etc., that set forth the claimed invention." Lockwood, 107 F.3d at 1572.

6. For convenience, claim 1, the only pending independent claim in the instant application, is reproduced below.

1. (currently amended) A fusion protein comprising (a) a first ~~domain to which a ligand binds that comprises~~ polypeptide and (b) a second polypeptide, wherein said first polypeptide comprises a ligand binding domain of a steroid hormone receptor that, upon ligand binding, self-associates, and wherein said second polypeptide comprises a cytokine receptor or a proliferation-inducing part thereof that, upon said self-association of said first polypeptide, imparts proliferation activity to a cell ~~a steroid hormone receptor, (b) a second domain that (i) comprises a steroid hormone receptor and (ii) associates when a ligand binds to the first domain, and (c) a third domain comprising a cytokine receptor or a part thereof that imparts proliferation activity to a cell upon the association of the second domain~~.

7. For purposes of examination, claim 1 has been interpreted as encompassing a vast genus of fusion proteins where each component of the fusion protein may comprise amino acid sequences corresponding to any like protein found in any life form, as well as conservative and non-conservative substitutions within each component of the fusion protein. Said fusion protein has also been construed as encompassing deletion mutants.

8. A review of the application papers finds that no computer-readable Sequence Listing has been filed in the instant application.

A review of the disclosure finds the following six examples:

- Example 1, page 9, "Constructing the chimeric G-CSF receptor/estrogen receptor gene (a selective amplification gene).
- Example 2, pages 9-11, "Isolation of Ba/F3 cells into which was introduced the chimeric G-CSF receptor/estrogen receptor gene, which is a selective amplification gene."

- Example 3, page 11, "Analysis of cell proliferation by estradiol."
- Example 4, pages 11-12, "Construction of IRES-CD24 expression plasmid."
- Example 5, pages 12-13, "Intracellular expression of CD24."
- Example 6, pages 13-15, "Progenitor assays.'

9. The specification has not been found to provide an adequate written description of any amino acid sequence that is associated with any of the stipulated functions or activities of the various components.

10. It is noted with particularity that the invention of claims 1-4 and18-27 is that of fusion proteins, a product, and not to methods for their production or to encoding constructs that can be used. A review of the disclosure fails to find a written description that describes the genus of fusion proteins both in terms of structure and function. As presently worded, the components of the fusion protein are identified by name and function, yet the amino acid sequences that are to be associated with such names and functionality are not provided.

11. None of the examples teach that any fusion protein has been produced and isolated and subsequently found to have the requisite activity, yet such embodiments are encompassed by the claims. Attention is directed to the decision in *In re Shokal*, 113 USPQ 283 (CCPA 1957) wherein is stated:

> It appears to be well settled that a single species can rarely, if ever, afford sufficient support for a generic claim. In re Soll, 25 C.C.P.A. (Patents) 1309, 97 F.2d 623, 38 USPQ 189; In re Wahlforss et al., 28 C.C.P.A. (Patents) 867, 117 F.2d 270, 48 USPQ 397. The decisions do not however fix any definite number of species which will establish completion of a generic invention and it seems evident therefrom that such number will vary, depending on the circumstances of particular cases. Thus, in the case of small genus such as the halogens, consisting of four species, a reduction to practice of three, or perhaps even two, might serve to complete the generic invention, while in the case of a genus comprising hundreds of species, a considerably larger number of reductions to practice would probably be necessary.

***

> We are of the opinion that a genus containing such a large number of species cannot properly be identified by the mere recitation or reduction to practice of four or five of them. As was pointed out by the examiner, four species might be held to support a genus, if such genus is disclosed in clear language; but where those species must be relied on not only to illustrate the genus but to define what it is, the situation is otherwise.

12. In accordance with claims 2 the "second polypeptide is derived from a G-CSF polypeptide." The specification, however, is silent as to what structure the G-CSF receptor can have and still have the requisite activity.

13. In accordance with claim 3, the steroid hormone receptor is to be an estrogen receptor, an androgen receptor, a progesterone receptor, a glucocorticoid receptor, or a mineral corticoid receptor. The specification has not described any structure, including variants that have the requisite activity when in the form of the claimed fusion protein.

14. In accordance with claim 18, the second polypeptide "comprises the entire G-CSF polypeptide." The specification, however, does not teach the amino acid sequence of any G-CSF polypeptide, be it entire of in part. Additionally, the specification does not teach the amino acid sequence of and fusion protein that comprises such a 'second polypeptide."

15. In accordance with claims 19 and 20, the second polypeptide is to either lack reactivity against G-CSF or lack the extracellular domain of wild-type G-CSF. The specification has not described what structures are associated with these functionalities/activities.

16. While claims 21 and 24 teach that the G-CSF receptor is deficient in certain amino acids, there is no sequence listing upon which to base such numbering.

17. It appears that applicant is attempting to satisfy the written description requirement of 35 USC 112, first paragraph, through obviousness. Obviousness, however, cannot be relied upon for satisfaction of the written description requirement. In support of this position, attention is directed to the decision in *University of California v. Eli Lilly and Co.* (Fed. Cir. 1997) 43 USPQ2d at 1405, citing *Lockwood v. American Airlines Inc.* (Fed. Cir. 1997) 41 USPQ2d at 1966:

> Recently, we held that a description which renders obvious a claimed invention is not sufficient to satisfy the written description requirement of that invention.

18. For the above reasons, and in the absence of convincing evidence to the contrary, claims 1-4 and 18-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Response to argument

19. At page 8 of the response received 14 February 2005, hereinafter the response, applicant's representative directs attention to the reply associated with the response mailed March 16th, 2004.

20. The above remarks, including the publications accompanying the reply, have been fully considered and has not been found persuasive towards the withdrawal of the rejection. While applicant's representative has sought to underpin their argument by reliance upon publications, such showings do not take the place of sworn (declarations/affidavits) evidence and from which assurances that any statements or representations made are correct, as provided by 35 U.S.C. 25 and 18 USC 1001. *Ex parte Gray* 10 USPQ2d 1922 at 1928 (BPAI 1989). Accordingly, applicant's representative's argument is non-persuasive.

21. Assuming arguendo, that the material found within the publications were presented in as worn document, such arguments are not persuasive towards the withdrawal of the rejection as the documents to not teach the claimed fusion proteins. Attention is directed to MPEP 2145.

> Attorney argument is not evidence unless it is an admission, in which case, an examiner may use the admission in making a rejection. See MPEP § 2129 and § 2144.03 for a discussion of admissions as prior art.
> The arguments of counsel cannot take the place of evidence in the record. In re Schulze, 346 F.2d 600, 602, 145 USPQ 716, 718 (CCPA 1965); In re Geisler, 116 F.3d 1465, 43 USPQ2d 1362 (Fed. Cir. 1997) ("An assertion of what seems to follow from common experience is just attorney argument and not the kind of factual evidence that is required to rebut a prima facie case of obviousness."). See MPEP § 716.01(c) for examples of attorney statements which are not evidence and which must be supported by an appropriate affidavit or declaration.

22. For the above reasons, and in the absence of convincing evidence to the contrary, the rejection is maintained.

23. Agreement is reached in that one is not required to teach each and every species encompassed by the claims. In the present case, however, applicant has not provided both structure and function for any one species, much less a representative number of the species encompassed by the disclosure.

24. Argument is advanced that the genus is not "substantially variable." This argument is not persuasive as it is conclusory. Further, there is not definition 9structure) associated with any of the polypeptides identified by either name or activity. As is clearly set forth in claim 2, one of the polypeptides must be a derivation. The claims leaves open just what the parent sequence is, much less to what extent it is to be derived from. While some claims recite "wild-type," there is not structure associated with said term. For example, is it wild-type as found inhuman, or in horse, or as found in any and all possible life forms? The specification does not provide an

adequate written description of the claimed fusion protein such that one would be able to ready identify which molecules are encompassed by the claims from those that are not.

25. While attention is directed to a website, such post-filing information is not dispositive of the need of the subject application to teach in such full, clear, and concise language jut what the claimed invention is.

26. At page 11 of the response, argument is presented that the rejection should be withdrawn given the level of skill in the art, however, their is no sworn evidence that establishes just what that level of skill is.

27. For the above reasons, and in the absence of convincing evidence to the contrary, the rejection is maintained.

28. Claims 1-4 and 18-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. As set forth in *Enzo Biochem Inc., v. Calgene, Inc.* (CAFC, 1999) 52 USPQ2d at 1135, bridging to 1136:

> To be enabling, the specification of a patent must teach those skilled in the art how to make and use the full scope of the claimed invention without 'undue experimentation.' " *Genentech, Inc. v. Novo Nordisk, A/S*, 108 F.3d 1361, 1365, 42 USPQ2d 1001, 1004 (Fed. Cir. 1997) (quoting *In re Wright*, 999 F.2d 1557, 1561, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993)). Whether claims are sufficiently enabled by a disclosure in a specification is determined as of the date that the patent application was first filed, see *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1384, 231 USPQ 81, 94 (Fed. Cir. 1986).... We have held that a patent specification complies with the statute even if a "reasonable" amount of routine experimentation is required in order to practice a claimed invention, but that such experimentation must not be "undue." See, *e.g.*, *Wands*, 858 F.2d at 736-37, 8 USPQ2d at 1404 ("Enablement is not precluded by the necessity for some experimentation . . . However, experimentation needed to practice the

> invention must not be undue experimentation. The key word is 'undue,' not 'experimentation.' ") (footnotes, citations, and internal quotation marks omitted). In *In re Wands*, we set forth a number of factors which a court may consider in determining whether a disclosure would require undue experimentation. These factors were set forth as follows: (1) the quantity of experimentation necessary, (2) the amount of direction or guidance presented, (3) the presence or absence of working examples, (4) the nature of the invention, (5) the state of the prior art, (6) the relative skill of those in the art, (7) the predictability or unpredictability of the art, and (8) the breadth of the claims. *Id.* at 737, 8 USPQ2d at 1404. We have also noted that all of the factors need not be reviewed when determining whether a disclosure is enabling. See *Amgen, Inc. v. Chugai Pharm. Co., Ltd.*, 927 F.2d 1200, 1213, 18 USPQ2d 1016, 1027 (Fed. Cir. 1991) (noting that the *Wands* factors "are illustrative, not mandatory. What is relevant depends on the facts.").

29. A review of the application papers finds that no computer-readable Sequence Listing has been filed in the instant application.

30. A review of the disclosure finds the following six examples:

- Example 1, page 9, "Constructing the chimeric G-CSF receptor/estrogen receptor gene (a selective amplification gene).
- Example 2, pages 9-11, "Isolation of Ba/F3 cells into which was introduced the chimeric G-CSF receptor/estrogen receptor gene, which is a selective amplification gene."
- Example 3, page 11, "Analysis of cell proliferation by estradiol."
- Example 4, pages 11-12, "Construction of IRES-CD24 expression plasmid."
- Example 5, pages 12-13, "Intracellular expression of CD24."
- Example 6, pages 13-15, "Progenitor assays.'

31. It is well settled that one cannot enable that which they do not yet possess. As presented above, the specification does not reasonably suggest that applicant was in possession of he claimed invention at the time of filing. Accordingly, the same deficient specification does not now enable the making and use of the broad genus of fusion proteins now claimed.

32. The specification is essentially silent as to how the various species of fusion proteins are to be used. It is noted with particularity that no reaction conditions, dosages, therapy regimens, etc., are provided. The situation at hand is analogous to that in *Genentech v. Novo Nordisk A/S* 42 USPQ2d 1001. As set forth in the decision of the Court:

> " '[T]o be enabling, the specification of a patent must teach those skilled in the art how to make and use the full scope of the claimed invention without undue experimentation.' *In re Wright* 999 F.2d 1557, 1561, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993); *see also Amgen Inc. v. Chugai Pharms. Co.*, 927 F. 2d 1200, 1212, 18 USPQ2d 1016, 1026 (Fed Cir. 1991); *In re Fisher*, 427 F. 2d 833, 166 USPQ 18, 24 (CCPA 1970) ('[T]he scope of the claims must bear a reasonable correlation to the scope of enablement provided by the specification to persons of ordinary skill in the art.').
>
> *****
>
> "Patent protection is granted in return for an enabling disclosure of an invention, not for vague intimations of general ideas that may or may not be workable. *See Brenner v. Manson*, 383 U.S. 519, 536, 148 USPQ 689, 696 (1966) (starting, in context of the utility requirement, that 'a patent is not a hunting license. It is not a reward for the search, but compensation for its successful conclusion.') Tossing out the mere germ of an idea does not constitute enabling disclosure. While every aspect of a generic claim certainly need not have been carried out by an inventor, or exemplified in the specification, reasonable detail must be provided in order to enable members of the public to understand and carry out the invention.
> "It is true . . . that a specification need not disclose what is well known in the art. *See, e.g., Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1385, 231 USPQ 81, 94 (Fed. Cir. 1986). However, that general, oft-repeated statement is merely a rule of supplementation, not a substitute for a basic enabling disclosure. It means that the omission of minor details does not cause a specification to fail to meet the enablement requirement. <u>However, when there is no disclosure of any specific starting material or any of the conditions under which a process can be carried out, undue experimentation is required; there is a failure to meet the enablement requirement that cannot be rectified by asserting that all the disclosure related to the process is within the skill of the art.</u> It is the specification, not the knowledge of one skill in the art, that must supply the novel aspects of an invention in order to constitute adequate enablement. This specification provides only a starting point, a direction for further research. (Emphasis added)

33. Accordingly, and in the absence of convincing evidence to the contrary, claims 1-4 and 18-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Response to argument

34. At page 12, bridging to page 13 of the response, applicant's representative again directs attention to the response of March 16th adding that "one skilled in the art would clearly be able to make or use the invention commensurate with claims 4 and 22-27." Such explicit limited traversal is taken as tacit agreement that one would not necessarily be able to enable the making and use of claims 1-3 and 18-21.

35. The above remarks, including the publications accompanying the reply, have been fully considered and has not been found persuasive towards the withdrawal of the rejection. While applicant's representative has sought to underpin their argument by reliance upon publications, such showings do not take the place of sworn (declarations/affidavits) evidence and from which assurances that any statements or representations made are correct, as provided by 35 U.S.C. 25 and 18 USC 1001. *Ex parte Gray* 10 USPQ2d 1922 at 1928 (BPAI 1989). Accordingly, applicant's representative's argument is non-persuasive.

36. While applicant has asserted that the specification enables the use of the claimed fusion proteins, applicant's representative has not identified where the specification teaches this essential material. Accordingly, and in the absence of convincing evidence to the contrary, claims 1-4 and 18-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Conclusion

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley L. Sisson whose telephone number is (571) 272-0751. The examiner can normally be reached on 6:30 a.m. to 5 p.m., Monday through Thursday.

38. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached on (571) 272-0745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

39. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley L. Sisson
Primary Examiner
Art Unit 1634

BLS
21 March 2005